IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

Crl.Rev.Pet.No. 590 of 2007()

CRA.450/2006 of ADDL.SESSIONS COURT (ADHOC), KOTTAYAM
CC.114/2004 of JUDL.MAGISTRATE OF FIRST CLASS, ETTUMANUR

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REVN. PETITIONER/APPELLANT/ACCUSED:

MARIAKUTTY JOHN, KAITHAKKAL HOUSE,
KALATHOOR P.O., KOTTAYAM.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS/RESPONDENTS/ STATEAND THECOMPLAINANT:

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1. STATE FOF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. P.K.SREEKUMAR, PARAKKATTIL HOUSE,
KANAKKARY P.O., KOTTAYAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.590 of 2007

Dated this the 9th day of February, 2007

ORDER

Revision petitioner who is the accused stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to imprisonment till the rising of the court. He was also directed to pay a sum of Rs.80,000/- as compensation and in default thereof, to undergo simple imprisonment for a period of one month under Section 357(3) of Criminal Procedure Code.

2. No counter evidence has been adduced to rebut the statutory presumptions. Hence there is no ground to interfere at all. Considering the plea of the learned counsel for the revision petitioner, she is granted four months' time to deposit the amount. The revision petitioner shall appear before the court of Judicial Magistrate of First Class-Ettumanoor on 11.6.2007 to receive the sentence.

The revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl